

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

08-CR-144-WMS

v.

ANTHONY SLOAN,

Defendant.

**NOTICE OF UNOPPOSED
MOTION FOR
MODIFICATION/REDUCTION
OF TERM OF SUPERVISED
RELEASE**

MOTION BY:

Fonda Dawn Kubiak, Assistant Federal Public
Defender, Attorney for Anthony Sloan.

DATE, TIME & PLACE:

Before the Honorable William M. Skretny, United
States District Court Senior Judge, Robert H.
Jackson United States Courthouse, 2 Niagara
Square, Buffalo, New York 14202, **on the papers**.

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender
Fonda Dawn Kubiak, dated August 22, 2023.

RELIEF REQUESTED:

Modification/Reduction of the Term of Defendant's
Term of Supervised Release.

DATED:

Buffalo, New York, August 22, 2023.

Respectfully submitted,
/s/ Fonda Dawn Kubiak
Fonda Dawn Kubiak
Federal Public Defender's Office
300 Pearl Street, Suite 200
Buffalo, New York 14202
(716) 551-3341; 551-3346 (fax)
Fonda_Kubiak@fd.org
Attorney for Defendant Anthony Sloan

TO: Aaron Mango
Assistant United States Attorney

Andrew Kerrissey
U.S. Probation Officer

UNITED STATES DISTRICT COURT
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v.

AFFIRMATION

ANTHONY SLOAN

Defendant.

FONDA DAWN KUBIAK affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and I represent the above-named defendant, Anthony Sloan.

PROCEDURAL BACKGROUND

2. On September 24, 2008, Mr. Sloan was sentenced to 120 months on each of Counts 1 and 2, to be served concurrently; lifetime supervised release on each of Counts 1 and 2, to be served concurrently; Special conditions to include: Computer/internet monitoring, sex offender treatment, no contact with minors, avoid areas where children congregate; no possession of child pornography; financial disclosure; must register as a sex offender, and search. Dkt. No. 28.

3. Mr. Sloan completed the custody portion of this sentence and commenced his term of supervised release on November 2, 2016. Dkt. No. 30.

4. Mr. Sloan now moves for modification/reduction of his term of supervised release pursuant to 18 U.S.C. § 3583(e).

HISTORY OF SUPERVISED RELEASE

5. Mr. Sloan successfully completed sex offender treatment at Endeavor, and complied with all treatment conditions imposed, including passing all polygraph tests. He maintained full-time employment for the first three years of the term of his supervised release at Empire Liquidators. He is currently retired.

6. Mr. Sloan has also maintained a stable and suitable residence at 348 Memorial Drive, Buffalo, New York 14212 throughout his period of supervised release.

7. Mr. Sloan has successfully completed more than 7 years of supervised release, as required by 18 U.S.C. § 3583(e)(1). No petitions alleging violations of the terms of his supervised release have been filed since it commenced over almost 7 years ago.

8. Counsel has confirmed with Probation Officer Andrew Kerrissey that Mr. Sloan has satisfied all financial obligations imposed by the Court at sentencing.

9. Officer Kerrissey has also indicated that U.S. Probation has no objection to this request for early termination of supervised release.

10. Counsel has also consulted with Assistant United States Attorney Aaron Mango, the prosecuting attorney when this case originated. AUSA Mango has indicated that the Government objects to the modification/reduction as requested in this motion.

11. Mr. Sloan's performance on supervision has been exemplary. He continues to flourish in his rehabilitation and is a consistent, productive, law-abiding member of our community. In the interest of justice, he respectfully seeks early and immediate reduction of his term of supervised release to a total term of 15 years on each of Counts 1 and 2, to be served concurrently.

WHEREFORE, for the reasons stated herein, it is respectfully requested that Mr. Sloan's term of supervised release be term be modified and reduced to a total term of 15 years on each of Counts 1 and 2, to be served concurrently.

DATED: Buffalo, New York, August 22, 2023.

Respectfully submitted,

/s/ Fonda Dawn Kubiak

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